

TO: (Name, office symbol, room number, building, Agency/Post)		Initials	Date
1.	<input type="text"/> Chief, Admin Staff/FBIS		STAT
2.			
3.			
4.			
5.			

Action	File	Note and Return
Approval	For Clearance	Per Conversation
As Requested	For Correction	Prepare Reply
Circulate	For Your Information	See Me
Comment	Investigate	Signature
Coordination	Justify	

**REMARKS**

With reference to FBIS/London 52783,  
attached is a copy of the Embassy's  
message to Dept. regarding Shift Disturbance  
Pay.

London Bureau Admin

STAT

**DO NOT use this form as a RECORD of approvals, concurrences, disposals,  
clearances, and similar actions**

FROM: (Name, org. symbol, Agency/Post)	Room No.—Bldg.
	Phone No.

5041-102

**OPTIONAL FORM 41 (Rev. 7-76)**

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CLASS: UNCLASSIFIED  
 CHRG: \$TA 06/28/82  
 APPRV: A/PER:KJGROOT  
 DRFTD: A/PER:HHURST:SF  
 CLEAR: 1.ADM:DCFIELDS  
 2.FBIS  
 DISTR: PERS-6

FOR PER/FSN

E.O. 12065 N/A  
 TAGS: APER, AFSP  
 SUBJECT: SHIFT DIFFERENTIAL PAY

STAT

REF: (A) 81 LONDON 23706, (B) 81 STATE 340964

1. REFTEL (B) REQUESTED POST TO (1) REPORT ON WHAT QUALIFIES AN EMPLOYEE AS A SHIFT WORKER IN THE SURVEYED COMPANIES AND (2) STATE WHETHER "ALL SHIFT HOURS" IS EQUIVALENT TO "ALL HOURS WORKED".
  2. TO ASCERTAIN WHAT QUALIFIES AN EMPLOYEE AS A SHIFT WORKER, THE FMBASSY CONTACTED THE SURVEYED COMPANIES AND OBTAINED THE FOLLOWING INFORMATION:-
    - COMPANY "A" DEFINES A SHIFT WORKER AS AN EMPLOYEE WHO WORKS ON ROTATING SHIFTS WHICH FOLLOW EACH OTHER IN IMMEDIATE SUCCESSION COVERING A PERIOD OF TWENTY-FOUR HOURS, OR ON ALTERNATING SHIFTS WHICH FOLLOW EACH OTHER EITHER IN IMMEDIATE SUCCESSION OR OVERLAPPING, BUT IN ANY CASE, COVERING ONLY A PORTION OF TWENTY-FOUR HOURS.
    - COMPANY "B" STATES THAT ONLY COMPUTER PERSONNEL WORK SHIFTS, AND ARE PAID A STANDARD AMOUNT OF SHIFT PAY WHICH IS ADDED TO ANNUAL SALARY, REGARDLESS OF THE ACTUAL HOURS WORKED, I.E. IT IS NOT CALCULATED AS AN HOURLY RATE AND DOES NOT VARY FROM WEEK TO WEEK OR MONTH TO MONTH. HOURS FOR COMPUTER OPERATORS WORKING A 10-WEEK CYCLE ARE AS FOLLOWS:
- |           |           |           |
|-----------|-----------|-----------|
| 1ST WEEK  | 5 DAYS,   | 0900-1715 |
| 2ND WEEK  | 5 DAYS,   | 0900-1715 |
| 3RD WEEK  | 4 NIGHTS, | 1930-0730 |
| 4TH WEEK  | 3 NIGHTS, | 1930-0730 |
| 5TH WEEK  | 7 DAYS,   | 0730-1930 |
| 6TH WEEK  | REST      |           |
| 7TH WEEK  | 4 NIGHTS, | 1930-0730 |
| 8TH WEEK  | 3 NIGHTS, | 1930-0730 |
| 9TH WEEK  | 7 DAYS,   | 0730-1930 |
| 10TH WEEK | REST      |           |
- HOURS FOR COMPUTER SHIFT LEADERS WORKING A 5-WEEK CYCLE ARE AS FOLLOWS:

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-	1ST WEEK	7 DAYS,	0730-1930
-	2ND WEEK	REST	
-	3RD WEEK	5 DAYS,	0900-1715
-	4TH WEEK	4 NIGHTS,	1930-0730
-	5TH WEEK	3 NIGHTS,	1930-0730

COMPANY "C" STATES THAT SHIFTWORKERS ARE THOSE EMPLOYEES WHO ARE REQUIRED TO WORK ON A REGULAR ROTATING PATTERN OF SHIFTS AS A CONDITION OF THEIR EMPLOYMENT. EACH SHIFT IS NORMALLY EIGHT HOURS IN DURATION, ALTHOUGH THE RECENT REDUCTION IN HOURS FROM 40 TO 39 HAS MEANT THAT, WHEREVER PRACTICABLE, ONE OR MORE SHIFTS EACH WEEK MAY BE LESS THAN EIGHT HOURS SO THAT ONLY 39 HOURS ARE WORKED.

THE VARIOUS SHIFT PATTERNS ARE:

- (A) DOUBLE DAY SHIFT:
  - MCNDAY TO FRIDAY 0700 - 1500
  - MCNDAY TO FRIDAY 1500 - 2300
- (B) THREE SHIFT DISCONTINUOUS:
  - MCNDAY TO FRIDAY 0700 - 1500
  - MCNDAY TO FRIDAY 1500 - 2300
  - MCNDAY TO FRIDAY 2300 - 0700
- (C) THREE SHIFT CONTINUOUS:
  - 7 DAYS 0700 - 1500
  - 7 DAYS 1500 - 2300
  - 7 DAYS 2300 - 0700
- (D) CONTINENTAL SHIFTS (VARIOUS WORKING PATTERNS COVERING 7 DAYS):

SHIFT PAY IS PAID FOR ONLY THOSE HOURS WORKED OUTSIDE OF THE COMPANY'S NORMAL WORKING HOURS, WHICH ARE 0800 TO 1700 MONDAY THROUGH FRIDAY. IF A SHIFT FALLS ON A SATURDAY OR SUNDAY, THE EMPLOYEE RECEIVES THE APPROPRIATE RATE OF OVERTIME PAY IN ADDITION TO SHIFT PAY. THE COMPANY HAS AGREED A POLICY WHEREBY EMPLOYEES RECEIVE A STABILIZED WEEKLY SHIFT PAY WHICH DOES NOT VARY FROM WEEK TO WEEK OVER A THREE WEEK CYCLE. ALL SHIFT HOURS OUTSIDE 0800 TO 1500 OVER A THREE WEEK PERIOD ARE

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TOTALLED AND DIVIDED BY THREE.

COMPANY "D" STATES THAT A SHIFT IS NORMALLY A PERIOD OF TIME WHICH VARIES FROM NORMAL WORKING HOURS (0900 TO 1730) DURING WHICH EMPLOYEES ARE CONTRACTED TO WORK EITHER:

ROTATING SHIFTS:           0600 - 1400  
                               1400 - 2200  
                               2200 - 0600  
 EARLY AND LATE SHIFTS:   0600 - 1400  
                               1400 - 2200

FIXED NIGHTS:  
       4 NIGHTS OF 10 HOURS, OR  
       5 NIGHTS OF 8 HOURS,

COMPANY "E" STATES THAT SHIFT WORK CONSISTS OF A REGULAR CYCLE OF WORK, THE MAJORITY OF WHICH CONSISTS OF WORK PERIODS (SHIFTS) WHICH ARE PART OF A CYCLE HAVING AT LEAST TWO CONSECUTIVE WORK PERIODS (SHIFTS) IN A CALENDAR DAY AS DISTINCT FROM STAGGERED STARTS. A COMMON EXAMPLE OF SUCH A CYCLE IS ONE WEEK OF MORNING SHIFTS ALTERNATING WITH ONE WEEK OF AFTERNOON SHIFTS AND/OR NIGHT SHIFTS.

COMPANY "F" HAS ONLY TWO ROTATING SHIFTS, 0715 - 1515 AND 1515 - 2315. EMPLOYEES WORKING THESE SHIFTS ARE PAID A STANDARD SHIFT PAYMENT ON A YEARLY BASIS ADDED TO ANNUAL SALARY. ONE EMPLOYEE (A DOORMAN) WORKS 0745 - 1730 AND RECEIVES A FLAT HOURLY RATE. ALL OTHER EMPLOYEES RECEIVE OVERTIME PAY FOR HOURS WORKED OUTSIDE REGULAR HOURS.

COMPANY "G" STATES THAT A SHIFT IS A PERIOD OF 12 HOURS IN WHICH QUALIFICATION FOR SHIFT PAY APPLIES TO THE START TIME OF THE SHIFT ONLY. THE NUMBER OF HOURS IN A SHIFT HAS NO BEARING ON THE PAYMENT OF THE SHIFT PAY. EMPLOYEES WHO ARE CONTRACTED TO WORK SHIFTS WORK 10 CONSECUTIVE DAYS (12 HOURS EACH SHIFT) THEN REST FOR 5 DAYS BEFORE STARTING A NEW 10-DAY SHIFT CYCLE. EMPLOYEES WHO DO NOT WORK ON A TWELVE HOUR SHIFT, BUT WORK IN EXCESS OF THE NORMAL WORKING HOURS OF 0900 TO 1700 ARE PAID OVERTIME PAY.

COMPANY "H" DEFINES A SHIFT WORKER AS SOMEONE WHO WORKS A REGULARLY-SCHEDULED ROTATING SHIFT CYCLE COVERING EITHER 16 OR 24 HOURS OVER 5 OR 7 DAYS.

COMPANY "I" EMPLOYS ONLY SECURITY GUARDS ON SHIFTS. SUCH SHIFTS ARE EITHER DAY SHIFTS (0800 TO 1800) OR NIGHT SHIFTS (1800 TO 0800). THE SHIFTS ARE NOT ROTATING. EMPLOYEES WORKING ON EITHER SHIFT ARE PAID A STANDARD SHIFT PAY ON A YEARLY BASIS ADDED TO ANNUAL SALARY.

COMPANY "J" EMPLOYS STAFF SPECIFICALLY TO WORK NIGHT SHIFTS AND DAY SHIFTS. NIGHT SHIFT WORKERS WORK 9 3/4 HOURS, MONDAY THROUGH THURSDAY, FROM

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- 2120 TO 0735 (30 MINUTE MEAL BREAK). DAY SHIFT  
- WORKERS WORK 8 HOURS, MONDAY THROUGH THURSDAY FROM  
- 0730 TO 1625, AND 7 HOURS, FRIDAY FROM 0730 TO 1525  
- (55 MINUTE MEAL BREAK). DAY SHIFT WORKERS ARE NOT  
- PAID SHIFT PAY.

- COMPANY "K" RELATES THE TERM "SHIFT WORKER" TO  
- STAFF UNDERTAKING SHIFT WORK OF EITHER A PERMANENT  
- OR TEMPORARY NATURE, I.E. STAFF WORKING AN AGREED  
- PATTERN OUTSIDE NORMAL WORKING HOURS.

- COMPANY "L" STATES THAT THE ONLY STAFF REQUIRED TO  
- WORK SHIFTS ARE DATA PROCESSING OPERATIONS STAFF.  
- THE COMPANY'S PERSONNEL POLICY DEFINES SHIFT PAY AS  
- BEING "APPLICABLE TO STAFF WHO ARE CONTRACTUALLY  
- REQUIRED TO WORK A ROTATING SHIFT SYSTEM".

- COMPANY "M" ADOPTS THE FOLLOWING SHIFT/NIGHT WORK  
- PRACTICE FOR THEIR CLERICAL STAFF.

- SHIFT PAY IS PAID WHEN:

- (A) FULL TIME STAFF ARE REQUIRED TO WORK SATURDAYS,  
- SUNDAYS OR BOTH AS A REGULAR FEATURE OF THE JOB.  
- (E) FULL TIME STAFF ARE REQUIRED TO WORK SHIFTS  
- STARTING BEFORE 0800 OR TERMINATING AFTER 2100  
- AS A REGULAR FEATURE OF THE JOB.  
- (C) FULL TIME STAFF ARE REQUIRED TO WORK SHIFTS  
- THAT START BEFORE MIDNIGHT AND FINISH AFTER  
- MIDNIGHT AS A REGULAR FEATURE OF THE JOB.  
- (D) FULL TIME STAFF ARE REQUIRED TO WORK NIGHT  
- SHIFTS ON A CONTINUOUS AND PERMANENT BASIS.

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COMPANY "N" DEFINES A SHIFT WORKER AS AN EMPLOYEE WHO WORKS ON A ROTATING SHIFT WHICH INCLUDES HOURS OUTSIDE 0900 TO 1730.

5-DAY ROTATING SHIFTS ARE AS FOLLOWS:

2 SHIFTS	0600 - 1400
	1200 - 2000
3 SHIFTS	0600 - 1400
	1400 - 2200
	2200 - 0600

EMPLOYEES (OTHER THAN SHIFT WORKERS) WHO ARE REQUIRED TO WORK OUTSIDE NORMAL WORKING HOURS (0900 - 1700) ARE PAID OVERTIME PAY.

COMPANY "O" STATES THAT SHIFT PAY APPLIES TO ALL HOURS AS STIPULATED IN THE CONTRACT OF EMPLOYMENT, IRRESPECTIVE OF WHEN THOSE HOURS ARE WORKED WITHIN THE ROTATING SHIFT SYSTEM. EMPLOYEES WHO RECEIVE SHIFT PAY ARE PERMANENTLY ENGAGED IN SHIFT WORK AND IT IS AN INTEGRAL AND CENTRAL PART OF THE CONTRACT OF EMPLOYMENT.

COMPANY "P" DEFINES A SHIFT WORKER AS ANYONE REQUIRED TO WORK ONE OF THE FOLLOWING SHIFTS:

0600 - 1430
1400 - 2130
2100 - 0600

COMPANY "Q" DEFINES A SHIFT WORKER AS ANYONE REQUIRED TO WORK A REGULAR EARLY, LATE OR NIGHT SHIFT. SUCH SHIFTS WOULD NORMALLY FOLLOW A ROSTER THROUGHOUT THE YEAR. AN ELEMENT OF DAY WORK CAN BE BUILT INTO A ROSTER PATTERN AND, PROVIDED THE DAY WORK (0800 - 1630) DOES NOT EXCEED 25% OF THE TOTAL PATTERN, THE EMPLOYEE IS PAID SHIFT PAY.

3. IT IS EVIDENT FROM THE ABOVE DETAILS THAT THERE IS NOTHING EVEN APPROACHING A COMMON DEFINITION OF WHAT QUALIFIES AN EMPLOYEE FOR SHIFT PAY.
4. WITH REGARD TO THE SECOND PART OF THE DEPARTMENT'S QUESTION, THE POST CONFIRMS THAT "ALL SHIFT HOURS" IS EQUIVALENT TO "ALL HOURS WORKED".
5. ALTHOUGH THE POST AGREES THAT THE RATE FOR SHIFT PAY RECOMMENDED BY THE SURVEY TEAM (25%) IS PROBABLY APPROPRIATE, THE POST FIRMLY BELIEVES THAT THIS RATE SHOULD ONLY BE USED IN CONJUNCTION WITH THE PREVAILING LOCAL PRACTICE OF PAYING SUCH RATE FOR ALL, REPEAT ALL, HOURS WORKED ON SHIFT WORK. IF THIS POLICY IS TO BE IMPLEMENTED, HOWEVER, THE POST WOULD FIRST HAVE TO DEFINE WHAT SHIFT WORK IS, AND IN THE ABSENCE OF A COMMON DEFINITION AMONG THE SURVEYED COMPANIES, THE POST COULD ONLY ATTEMPT TO DEVISE A DEFINITION FOR SHIFT WORK BY INCORPORATING THE ONLY TWO FEATURES WHICH THE SURVEYED COMPANIES APPEAR TO HAVE IN COMMON,

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- I.E. (1) SHIFT WORK IS REGULARLY-SCHEDULED, AND (2)
- SOME PORTION OF THE SHIFT WORK IS PERFORMED OUTSIDE
- NORMAL WORKING HOURS. USING THESE TWO COMMON
- FEATURES, THE POST HAS DEVISED A DEFINITION OF SHIFT
- WORK AS FOLLOWS: "SHIFT WORK IS ANY
- REGULARLY-SCHEDULED WORKDAY OF EIGHT HOURS, THREE
- HOURS OR MORE OF WHICH ARE OUTSIDE OF NORMAL WORKING
- HOURS".
- 6. THE ALTERNATIVE POLICIES FOR SHIFT PAY WHICH HAVE BEEN
- CONSIDERED TO THIS POINT ARE AS FOLLOWS:
- (A) CURRENT POLICY: 33% FOR ALL REGULARLY-SCHEDULED
- HOURS OUTSIDE OF NORMAL WORKING
- HOURS.
- (B) SURVEY TEAM'S RECOMMENDATION: 25% FOR ALL
- REGULARLY-SCHEDULED
- HOURS OUTSIDE OF
- NORMAL WORKING HOURS.
- (C) POST'S COUNTER RECOMMENDATION: 25% FOR ALL HOURS
- WORKED ON SHIFT WORK
- (THIS ALTERNATIVE
- WOULD REQUIRE A
- DEFINITION FOR
- "SHIFT WORK")
- 7. THE POST RECOGNIZES THAT, IN GENERAL, PREVAILING LOCAL
- PRACTICE SHOULD BE FOLLOWED AND THAT 25% IS PROBABLY
- THE APPROPRIATE RATE IF PAID FOR ALL HOURS WORKED ON
- SHIFT WORK AS DEFINED IN PARAGRAPH 5. THE POST,
- HOWEVER, HAS STRONG RESERVATIONS ABOUT THE

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- ADVISABILITY OF IMPLEMENTING SUCH A POLICY.
  - DISCUSSIONS HAVE BEEN HELD AT POST WITH ALL AGENCIES
  - HAVING FSN EMPLOYEES WHO WORK OUTSIDE OF NORMAL
  - WORKING HOURS AND THERE IS A CONSENSUS OF OPINION
  - THAT, IN THE ABSENCE OF A COMMON POLICY AMONG THE
  - SURVEYED COMPANIES, THE INTRODUCTION OF A RIGID
  - DEFINITION OF SHIFT WORK WOULD BE SOMEWHAT ARTIFICIAL.
  - IF SUCH AN ARTIFICIAL DEFINITION OF SHIFT WORK,
  - INCORPORATING A REQUIREMENT THAT A SPECIFIC MINIMUM
  - NUMBER OF HOURS BE WORKED OUTSIDE OF NORMAL WORKING
  - HOURS, WERE TO BE APPLIED, IT WOULD OVERCOMPENSATE
  - THOSE EMPLOYEES WHO DO QUALIFY FOR SHIFT PAY (BY
  - PAYING THEM FOR ALL HOURS WORKED, INCLUDING NORMAL
  - WORKING HOURS) AND UNDERCOMPENSATE THOSE WHO DON'T
  - QUALIFY FOR SHIFT PAY (BY NOT PAYING THEM FOR THE
  - HOURS THEY WORK OUTSIDE OF NORMAL WORKING HOURS WHICH
  - DO NOT QUALIFY FOR SHIFT PAY). SIMILARLY, THE
  - INTRODUCTION OF AN ARTIFICIAL LEVEL AT WHICH EMPLOYEES
  - WILL, OR WILL NOT, BE PAID SHIFT PAY MIGHT LEAD TO THE
  - UNNECESSARY MANIPULATION OF WORK SCHEDULES BY
  - SUPERVISORS IN ORDER TO ENSURE THAT ALL EMPLOYEES
  - WHO WORK OUTSIDE OF NORMAL WORKING HOURS REACH THE
  - QUALIFYING LEVEL FOR SHIFT PAY FOR ALL HOURS WORKED.
  - IT WOULD PROVE AN ADMINISTRATIVE HEADACHE TO AVOID
  - ABUSES OF SUCH A POLICY.
8. THE CURRENT POLICY OF PAYING 33% FOR ONLY THOSE HOURS  
 - WORKED OUTSIDE OF NORMAL WORKING HOURS IS EASILY  
 - UNDERSTOOD BY ALL CONCERNED PERSONNEL, AND THERE HAS  
 - BEEN NO SIGN OF DISSATISFACTION WITH THIS POLICY AMONG  
 - FSN PERSONNEL. THE EXTRA 8% OVER LOCAL PRACTICE (33%  
 - NOW, COMPARED TO 25% RECOMMENDED) WOULD CONSTITUTE  
 - RECOGNITION THAT SHIFT PAY IS PAID FOR ONLY THOSE  
 - HOURS WORKED OUTSIDE OF NORMAL WORKING HOURS AND NOT  
 - FOR ALL HOURS WORKED.
9. IN VIEW OF THE FOREGOING, THE POST STRONGLY RECOMMENDS  
 - THAT NO CHANGE BE MADE IN THE POST'S CURRENT POLICY  
 - FOR THE PAYMENT OF SHIFT PAY.
10. THIS TELEGRAM HAS BEEN CLEARED BY ALL PARTICIPATING  
 - AGENCIES EMPLOYING SHIFT PERSONNEL. LOUIS

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